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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
GRAHAM HETTINGER,  
  
Defendant.

CASE NO. 2:21-CR-00215-JAM

STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
FINDINGS AND ORDER

DATE: August 30, 2022  
TIME: 9:30 a.m.  
COURT: Hon. John A. Mendez

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant Graham Hettinger, by and through his counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on August 30, 2022.
2. By this stipulation, the defendant now moves to continue the status conference until November 9, 2022, at 9:00 a.m., and to exclude time between August 30, 2022, and November 9, 2022, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
  - a) The discovery associated with this case includes more than 600 pages of documents, photographs, investigative reports, and other materials. All of this discovery has either been produced directly to counsel or else made available for inspection and copying.

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1           b)     The parties are negotiating a potential resolution to the matter which requires that  
2 they account, among other things, for certain sensitive medical information. Collecting and  
3 understanding this information requires additional time and investigative resources.

4           c)     Counsel for the defendant desires additional time to consult with his client, review  
5 and copy discovery, collect and present information to the government regarding his client's  
6 medical condition, and otherwise prepare for trial.

7           d)     Counsel for the defendant believes that failure to grant the above-requested  
8 continuance would deny him the reasonable time necessary for effective preparation, taking into  
9 account the exercise of due diligence.

10          e)     The government does not object to the continuance.

11          f)     Based on the above-stated findings, the ends of justice served by continuing the  
12 case as requested outweigh the interest of the public and the defendant in a trial within the  
13 original date prescribed by the Speedy Trial Act.

14          g)     For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
15 et seq., within which trial must commence, the time period of August 30, 2022, to November 9,  
16 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code  
17 T4] because it results from a continuance granted by the Court at the defendant's request on the  
18 basis of the Court's finding that the ends of justice served by taking such action outweigh the  
19 best interest of the public and the defendant in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: August 23, 2022

PHILLIP A. TALBERT  
United States Attorney

/s/ SAM STEFANKI  
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SAM STEFANKI  
Assistant United States Attorney

Dated: August 23, 2022

/s/ PATRICK HANLY  
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PATRICK HANLY  
Counsel for Defendant  
GRAHAM HETTINGER

**ORDER**

IT IS SO FOUND AND ORDERED this 23<sup>rd</sup> day of August, 2022.

/s/ John A. Mendez  
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THE HONORABLE JOHN A. MENDEZ  
SENIOR UNITED STATES DISTRICT JUDGE